

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT NEW YORK**

**VIACOM INTERNATIONAL INC., a  
Delaware corporation,**

**Plaintiff,**

**v.**

**SPECIAL PRODUCTIONS, INC.  
and MICHAEL DAVIDS a/k/a  
MICHAEL H. DEMOS,**

**Defendants.**

**No.: 07 Civ. 9237 (PKC)**

**NOTICE OF MOTION FOR  
DEFAULT JUDGMENT**

PLEASE TAKE NOTICE that, upon the annexed affidavit of Marcia B. Paul, sworn to February 27, 2007, together with the exhibits thereto, the memorandum of law in Support of Plaintiff's Application for a Default Judgment, and all prior pleadings and proceedings heretofore had herein, plaintiff Viacom International Inc. ("Viacom"), by its undersigned attorneys, will move this Court before the Honorable P. Kevin Castel, United States District Judge, in Courtroom 12C of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, on March 21, 2008 at 9 am, or such other time and place as the Court may direct, for a Default Judgment against defendants Special Productions, Inc. and Michael Davids, a/k/a Michael H. Demos pursuant to Federal Rules of Civil Procedure 55(b) and Local Civil Rule 55.2:

1. For a permanent injunction prohibiting defendants and any of them and/or their officers, directors, agents, servants, employees, licensees and assigns, and all persons firms or corporations acting in concert or participation with them, including but not limited to Ray Grimard and Special Productions Inc. of Florida, a corporation organized and existing under the laws of Florida, from (1) using the SPONGEBOB SQUAREPANTS; DORA THE EXPLORER; GO, DIEGO, GO!; JIMMY NEUTRON; RUGRATS; and THE WILD THORNBERRYS names and trademarks or any colorable imitations of the trademarks, on and in connection with the manufacture, advertisement, promotion, distribution and/or sale of any goods or services; (2) doing any act or thing calculated or likely to cause

confusion or mistake in the minds of members of the public, or prospective customers of Viacom's products or services, as to the source of the products or services offered for sale, distributed, or sold, or likely to deceive members of the public, or prospective customers, into believing that there is any connection between defendants and Viacom or that defendants are acting under the authority of Viacom; and (3) committing any of the acts which will or are likely to tarnish, blur, or dilute the distinctive quality of the famous and distinctive Viacom trademarks.

2. For a permanent injunction under 17 U.S.C. § 502, prohibiting defendants and their respective officers, directors, agents, servants, employees, licensees and assigns, and all persons, firms or corporations acting in concert or participation with them, from infringing in any manner any of the Viacom copyrights as set forth in Schedule A attached herewith.
3. For statutory damages pursuant to 17 U.S.C. § 504(c)(1) in the amount of \$21,750.
4. For an order awarding plaintiff attorneys' fees and costs pursuant to 17 U.S.C. § 505 and 15 U.S.C. § 1117, in the amount of \$36,777.40.
5. To order the Clerk of the Court to close this case and remove this action from the docket, without prejudice to plaintiff's ability to enforce this Default Judgment, or to reopen this matter to pursue sanctions for any violations of this Default Judgment.

Dated: New York, New York  
February 28, 2008

DAVIS WRIGHT TREMAINE LLP

By: Marcia B. Paul  
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*Attorneys for Plaintiff Viacom International Inc.*